THE HON'BLE MRS JUSTICE T.MEENA KUMARI

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THE HON'BLE MR JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 17316 of 2005

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DATED: 8TH SEPTEMBER, 2005

Between:

B.Veeraiah, s/p Penta Goud, aged about 35 years, Edtra Departmental Branch Post Master, Tunki EDBO, under Kowdipalli S.O. Sangareddy Division, Medak District.

PETITIONER

AND

1. The Superintendent of Post Offices, Sanga reddy Division, Sangareddy, Medak District & another.

RESPONDENTS

JUDGMENT: (Per the Honourable Smt. Justice T.Meena Kumari)

The writ petition is filed by the petitioner against the order of the Tribunal passed in O.A.No:3063 of 1992 on 8.2.2005.

The facts led to the filing of this writ petition are: The petitioner was appointed as E.D. B.P.M. on provisional basis on 5.5.1998 and he completed three years of service. The regular incumbant on completion of disciplinary proceedings, was removed from service. On the notification dated 19.10.2002 issued for recruitment reserving the post for OBC candidate, the petitioner claimed that he is OBC candidate and as such, he is entitled for absorption against the said vacancy. Inspite of his representation, he was not absorbed. Hence, he approached the tribunal. The Tribunal having observed that the petitioner was not even sponsored by the Employment Exchange at the time of his initial appointment and he was appointed on provisional basis without following the prescribed formalities prescribed for regular appointment, dismissed the O.A. Having aggrieved by the same, the present writ petition is preferred by the petitioner.

Heard the learned counsel.

The learned counsel for the petitioner has reiterated the same contentions that have been raised before the Tribunal. While drawing the attention of this Court to the counter filed before the tribunal wherein it is stated that a person who completes nearly three years of service, is entitled for keeping his name in the waiting list tobe accommodated in future, it is submitted by the learned counsel for the petitioner that the petitioner having completed four years of service, is entitled to be listed in the waiting list.

In the facts and circumstances of the case and in view of the fact that the petitioner has completed nearly about four years, without expressing any opinion on the merits of the case, We feel it just and proper to direct the respondents to keep the

name of the petitioner in the waiting list for the purpose of accommodating him in future. However, it is made clear that this observation will not entitle him as to the regularization of the services and this order shall not be a precedent in future cases.

Subject to the above direction, this W.P. is disposed of.

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(T.Meena Kumari, J)

8th September, 2005

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(P.Lakshmana Reddy, J)

Gurc.

HONOURABLE SMT. JUSTICE T.MEENA KUMARI

&

HONOURABLE SRI JUSTICE P.LAKSHMANA REDDY

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(Judgment delivered by Smt. Justice T.Meena Kumari)

8TH SEPTEMBER, 2005